



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 177 দিশপুৰ, মঙ্গলবাৰ, 4 এপ্ৰিল, 2023, 14 চ'ত 1945 (শক)

No. 177 Dispur, Tuesday, 4th April, 2023, 14th Chaitra, 1945 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LABOUR WELFARE DEPARTMENT ::: LABOUR (RC) BRANCH

NOTIFICATION

The 14th March, 2023

No. E246430.- The following draft of certain rules further to amend the Assam Factories Rules, 1950 hereinafter referred to as the principal Rules, which the Governor of Assam proposes to make in exercise of the power conferred by section 112 of the Factories Act, 1948 (63 of 1948) is hereby published, as required under section 115 of the said Act, for information of all person likely to be effected thereby, and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of period of 45 (forty-five) days from the date of publication of this Notification in the Official Gazette.

Any objection or suggestions which may be received from any person with respect to the said draft rules before the expiry of the specified period shall be considered by the Government of Assam.

Objections or suggestions, if any, may be sent to the Commissioner and Secretary to the Government of Assam, Labour Welfare Department, Dispur, Guwahati-06.

Short title and commencement	1.	(1) These rules may be called the Assam Factories (Amendment) Rules, 2023.
	(2)	They shall come into force on the date of their publication in the Official Gazette.
Amendment of rule 3A	2.	In the principal Rules, in rule 3A, in sub-rule (3), for the existing Table, the following Table shall be substituted, namely:-

Table : Timeline for Approval of Plans

Sl. No.	Category of Factories	Time limit from the date of receipt of completed application
1.	Factories as defined under section 2(m)(i) and 2(m)(ii) and not involving Hazardous Process as defined under section 2(cb) of the Act.	60 (sixty) days.
2.	Factories involving Hazardous Process and major Accident Hazards Installations.	90 (ninety) days [60 (sixty) days for the appraisal of site by the Site Appraisal Committee, 15 (fifteen) days for approval from the Government and 15 (fifteen) days for approval by the Chief Inspector of Factories].

- Amendment of rule 5
3. In the principal Rules, in rule 5, in sub-rule (1), for the existing Table, the following Table shall be substituted, namely:-

Table : Timelines for Grant of Licence

Sl. No.	Category of Factories	Time limit from the date of receipt of completed application
1.	Factories as defined under section 2(m)(i) and 2(m)(ii) and not involving Hazardous Process as defined under section 2(cb) of the Act.	60 (sixty) days
2.	Factories involving Hazardous Process and major Accident Hazards Installations.	60 (sixty) days from the receipt of approval of site from the Government.

- Amendment of rule 6
4. In the principal Rules, in rule 6, in sub-rule (1), for the existing Table, the following Table shall be substituted, namely:-

Table : Timeline for amendment of Licence

Sl. No.	Category of Factories	Time limit from the date of receipt of completed application
1.	For all categories of Factories.	60 (sixty) days.

- Amendment of rule 7 5. In the principal Rules, in rule 7, in sub-rule (2), for the existing Table, the following Table shall be substituted, namely:-

Table: Timeline for renewal of Factory Licence (other than Auto-renewal)

Sl. No.	Category of Factories	Time limit from the date of receipt of completed application
1.	For all categories of Factories.	60 (sixty) days from the receipt of approval of site from the Government.

- Amendment of rule 8 6. In the principal Rules, in rule 8, for the existing sub-rule (4), the following Table shall be substituted, namely:-

Table : Timeline for transfer of Licence

Sl. No.	Category of Factories	Time limit from the date of receipt of completed application
1.	For all categories of Factories.	60 (sixty) days.

- Insertion of new rule 13-C 7. In the principal Rules, after rule 13-B, the following new rule 13-C shall be inserted, namely:-

"13-C. Where any occupier or Manager or both of a factory contravenes the provisions of safety and health as provided in the Act and rules made thereunder which leads to a serious accident, notwithstanding any penalty to which the occupier or the Manager or both are subjected to under the provisions of the Act, the Chief Inspector of Factories may revoke, suspend or cancel the licence granted to such factories under section 6 of the Act:

Provided that before any such revocation, suspension or cancellation of the licence, the occupier or the Manager shall be given a reasonable opportunity to show cause in defence."

- Deletion of rule 47 8. In the principal Rules, rule 47 shall be deleted.

B. KALYAN CHAKRAVARTY,
Principal Secretary to the Government of Assam,
Labour Welfare Department.